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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 JOHN PELS, on behalf of himself and all others
similarly situated,

13 Plaintiff,

14 v.

15 KEURIG DR. PEPPER,

16 Defendant.
17

Case No. 3:19-cv-03052-SI

**STIPULATION AND ~~[PROPOSED]~~
ORDER MODIFYING BRIEFING
SCHEDULE AND HEARING DATE ON
DEFENDANT'S MOTION TO DISMISS
AMENDED CLASS ACTION
COMPLAINT**

LOCAL RULE 6-2

STIPULATION

WHEREAS, this consumer class action was filed on June 3, 2019;

WHEREAS, an amended complaint was filed on June 25, 2019;

WHEREAS, on July 26, 2019, defendant Keurig Dr. Pepper (“Keurig”) filed a motion to dismiss the amended complaint (“Motion”);

WHEREAS, plaintiff’s opposition to the Motion is due to be filed on August 9, 2019, Keurig’s reply is due to be filed on August 16, 2019, and a hearing is set for September 13, 2019;

WHEREAS, plaintiff only recently retained additional counsel, Schubert Jonckheer & Kolbe LLP, to represent him in this matter;

WHEREAS, in light of new plaintiff’s counsel entering the case, plaintiff requested an extension of 30 days to respond to the Motion, including an extension for Keurig’s reply and a continuance of the September 13, 2019 hearing date, and Keurig agreed to plaintiff’s request;

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned counsel for the parties, subject to Court approval that:

1. The time for plaintiff to oppose the Motion shall be extended from August 9, 2019 to September 9, 2019;
2. Keurig shall file its reply brief by October 4, 2019; and
3. The hearing date for the Motion, currently noticed for September 13, 2019 at 10:00 a.m., shall be continued to October 18, 2019 at 10:00 a.m.

The parties respectfully request that the Court enter an Order approving this Stipulation.

IT IS SO STIPULATED.

Dated: August 6, 2019

SCHUBERT JONCKHEER & KOLBE LLP

By: /s/ Willem F. Jonckheer
Willem F. Jonckheer

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Dated: August 6, 2019

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1 **ATTESTATION**

2 I, Willem F. Jonckheer, am the ECF User whose identification and password are being used
3 to file this **STIPULATION AND [PROPOSED] ORDER MODIFYING BRIEFING**
4 **SCHEDULE AND HEARING DATE ON DEFENDANT'S MOTION TO DISMISS**
5 **AMENDED CLASS ACTION COMPLAINT.** In compliance with Civil Local Rule 5-1(i)(3), I
6 hereby attest that all signatories have concurred in this filing.

7
8 Dated: August 6, 2019

By: /s/ Willem F. Jonckheer
Willem F. Jonckheer

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10
11 **~~[PROPOSED]~~ ORDER**

12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

13
14 Dated: 8/6/19



U.S. District Judge